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**IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA
FIFTH APPELLATE DISTRICT**

THE PEOPLE,

Plaintiff and Respondent,

v.

LARRY EARL THOMAS,

Defendant and Appellant.

F077284

(Super. Ct. No. BF170592A)

OPINION

THE COURT*

APPEAL from a judgment of the Superior Court of Kern County. Colette M. Humphrey, Judge.

Jared G. Coleman, under appointment by the Court of Appeal, for Defendant and Appellant.

Office of the State Attorney General, Sacramento, California, for Plaintiff and Respondent.

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* Before Poochigian, Acting P.J., Detjen, J. and Smith, J.

Appellant Larry Earl Thomas pled no contest to possession of a firearm by a felon (Pen. Code, § 29800)¹ and admitted allegations that he had a prior conviction within the meaning of the “Three Strikes” law (§ 667, subds. (b)-(i)). Following independent review of the record pursuant to *People v. Wende* (1979) 25 Cal.3d 436, we affirm.

FACTUAL AND PROCEDURAL BACKGROUND

On October 14, 2017, Thomas was stopped by police officers while driving away from the area where a shooting had occurred. Later that day, pursuant to an authorized wiretap, officers heard Thomas state that prior to being pulled over he threw a gun out of the window of the car he was driving.

On December 11, 2017, the Kern County District Attorney filed a complaint charging Thomas with possession of a firearm by a felon and a gang enhancement (§ 186.22, subd. (b)(1)).

On January 30, 2018, the prosecutor amended the complaint to allege that Thomas had a prior conviction within the meaning of the Three Strikes law. Thomas then entered his plea in exchange for the dismissal of the gang enhancement and two unrelated cases and a stipulated term of six years. After Thomas waived the preparation of a probation report, in accord with his plea agreement, the court sentenced him to a six-year prison term, the aggravated term of three years, doubled to six years because of Thomas’s strike conviction.

On March 29, 2018, Thomas filed a timely appeal and the court granted his request for certificate of probable cause.

Thomas’s appellate counsel has filed a brief that summarizes the facts, with citations to the record, raises no issues, and asks this court to independently review the

¹ All further statutory references are to the Penal Code.

record. (*People v. Wende, supra*, 25 Cal.3d 436.) Thomas has not responded to this court's invitation to submit additional briefing.

Following an independent review of the record, we find that no reasonably arguable factual or legal issues exist.

DISPOSITION

The judgment is affirmed.